

The regular meeting of the Town Assembly of the Village of Arden was convened at 7:40 PM on September 26, 1988, Chairman William Press presiding.

In Attendance were:

| | | |
|--------------------|-------------------------|------------------------|
| Heddy Salkeld | Katherine Kelly | Carl Colantuono (NV) |
| John Grimaldi | Ken Nicholls | Carolyn Liberman |
| Rae Gerstine | Joan W. Colgan | Lee Starr |
| Sarah S. Hamburger | Mary B. Whipple | Betty Knott |
| Virginia Shaw | Barbara Fenske | Don Holcomb |
| Gail Rinehart | H. R. Monfort | Clara Dossett |
| June Kleban | Cecilia Vore | Shaul Gladstone |
| Jean Brachman | Carl Falco | John Demsey |
| Gene Shaw | Linda K. Jobson | Leon Tanzer |
| Frank Young | Paul Thompson | Yvonne King |
| Skip Salkeld | Thomas E. Colgan | Barnes King |
| Dan Szurgyilo | Steven A. Threefoot | Clarence Lucas (NV) |
| Helen Macklem | Mike Curtis | David Hofer (NV) |
| Lou Bean | Elizabeth Varley Walker | Bob Beavers (NV) |
| Frances Trench | William Busch | Kate Threefoot |
| Aaron Hamburger | Dane Miller | Frank Akutowicz |
| Mary Orr | Jannie Stearns | Marvellen S. Jobson |
| Ray Lynch (NV) | Peter A. Renzetti | Richard L. Gaw (NV) |
| Mary E. Irons | Tim Colgan | Ethel Gordon Monfort |
| Susan Rohrbach | Bill Press | Connee Wright McKinney |
| John Dossett | Pat Press | Ed Wesolowski |
| Clara Dossett | Anne Berlin | Lucille Siegel |
| Bernie Brachman | Marianne Cinaqlia | Matt Stearns |
| Bob Wynn (NV) | Betty Cirker | Cy Liberman |
| Chris Demsey | | |

Presentation by Rita Devlin from the New Castle County Dept. of Housing.

Since 1974, this department has helped people through Community Development Block Grant Funds. The focus of the program is housing preservation. Operation Home Fix-Up makes deferred and variable rate loans available to single family and rental properties. For information, call 571-HOME.

Communications:

A moment of silence was observed in memory of Ruth Holcomb and Charlotte Curtis, two Ardenites who have died since the last meeting.

The secretary, Sally Hamburger, announced her intention not to run for this office in the March elections.

STANDING COMMITTEE REPORTS

Trustees - Shaul Gladstone

Taxes in the amount of \$129,459.81 have been paid to New Castle County.

Senior citizen credits for taxes have been paid in the amount of \$322.17 to 17 residents and in the amount of \$251.69 to 1 resident. These credits are based on a county property tax rate of \$0.285/\$100 of assessed valuation and a total school tax of \$0.72177/\$100 of assessed valuation.

Twelve rebates have been sent to residents for payments made in error by their mortgage companies.

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Requested budget in the amount of \$19,520 has been sent to the Budget Committee. This represents an 8% increase over last year. Salaries are the only significant increases requested.

An incident of criminal mischief consisting of spray-painting rocks in the creek has been turned over to the Civic Committee after determining that the property involved was that of the Village. Legal action can be taken when proper complaints are filed.

Contact with DELDOT has been initiated at the request of the Safety Committee to resolve the potentially dangerous situation at Sherwood & Marsh Rds. A solution to this problem is expected before the next Town Assembly.

Safety - A. Barnes King

The consensus of the Assembly was against the idea of changing the traffic flow on Sherwood Rd. to exit onto Harvey.

John Hewlett has replaced Donald Berman on this committee. Mr. Hewlett has not yet been informed of his new status.

Suggestions for controlling speed on Harvey Rd.: a standardized speed limit of 25 mph along the length of the road; a volunteer radar watching crew with no authority to arrest.

The Assembly expressed dismay that the Safety Committee has not met since its election in March.

Assessors - Cy Liberman

The report to the June meeting stands as read.

Nominations for Assessors for 1989/90:

| | | |
|-----------------|-------------------------|--------------|
| Aaron Hamburger | Harold Monfort | Carl Falco |
| Yvonne King | Cy Liberman | Hugh Roberts |
| Bernie Brachman | Elizabeth Varley Walker | Gene Shaw |
| Tom Colgan | Pat Pyle | Ruth Bean |
| Connie McKinney | Steven Threefoot | John Dossett |
| Frank Young | | |

Mr. Young & Mrs. Bean later declined the nominations.

Registration - Virginia Shaw

There are 408 eligible voters as of this date.

Please be sure to vote in the upcoming referendum.

The Records Officer will be checking committee records with the secretaries of each committee.

Budget - Kate Threefoot

Projected 1989 figures:

| | |
|-------------------------|-----------|
| Income | \$266,655 |
| Non-Budgetable Expenses | 169,475 |
| Budgetable Expenses | 85,450 |
| Trustee Administration | 19,820 |
| Reserve Fund | 67,125 |

Discussion:

Moved that the donation of \$750 to the Fire Company be apportioned among the serving companies: \$550 to Claymont, \$100 to Talleyville, \$100 to Brandywine.

Con:

All fire companies are expected to help each other. We should accept Claymont as our primary serving company and not carry old grudges. Talleyville and Brandywine are not soliciting our support.

Pro:

We should recognize the service of other companies. These companies cannot solicit support in the Claymont district. Claymont has reduced its services and must depend on Talleyville and Brandywine.

Motion Approved: Aye 38, Nay 17.

The proposed salary increase for the Trustees' Administrative Assistant, Rae Gerstine, is in line with the analysis of the job. Beverly Laws is the Secretary to the Trustees.

Trash bids received from Laxton: \$49,728 for behind-the-house service, \$37,632 for curbside service. Arrow bid \$25,657 for curbside service with a \$5 a month service charge for those unable to carry out their own barrels (approximately 13 households.)

Budget Accepted.

Community Planning - Ed Rohrbach for Sally Thurston

Community Planning Committee has been fairly inactive this summer due to extreme weather and lack of issues.

Bulb planting is planned in the Memorial Garden for later this Fall. Daffodil bulbs are being purchased by individuals in memory of loved ones. The committee will be responsible for planting them.

Plans are being made to publish a new Arden Book. It will take several months to assemble new information. Those interested in contributing should contact Sally Thurston.

Marianne Cinaqlia has asked our committee to consider renting the use of a commercial size chipper/shredder on a regular basis in order to make rounds and process yard debris. The mulch could then be used by the leaseholder or around town. This practice would keep some brush from being pushed into the woods, help keep down pollution from burning and be ecologically sound.

Our committee is considering blazing a nature path in the Arden Woods. Dwindling plant species may be replaced. For example, particular wildflowers may be reintroduced and labeled with their names for educational purposes. Knowledgeable people will be consulted before this plan is enacted.

Sandy Hurlong and Cy Liberman are concerned with the noise of jets over Arden as they make their final approach to the Philadelphia Airport. Contact either of them if you would like to add your name to a list of those concerned.

First reading of proposed amendment to Ordinance #4 (Use of Commons), Sections 3 & 7. - Cecilia Vore

This amendment is proposed in lieu of Ordinance #14 as presented at the June meeting.

Ordinance #4, Section #3 - No person shall litter the commons of Arden. Current wording: "Open fires shall not be permitted on the greens or forests except at places designated by the Civic Committee. However, no fires shall be permitted at times the State Fire Marshall proclaims a ban on outdoor fires."

Proposed wording: Littering of any kind in the woods, streams or commons is prohibited. "Litter" includes, but is not limited to cans, paper, building material, etc., and shall also include organic material, such as piles of leaves, hedge clippings and Christmas trees.

Current section #3, "open fires shall not be permitted, etc." should become section #4. Current sections #4 through #7 should be renumbered #5 through #8.

Section #8 should read: Any party who violates this ordinance and or refuses to remove litter or repair damage in a timely manner shall be subject to a fine of \$50 or the cost of cleanup.

Discussion:

We don't need section #8. There are already State guidelines for fines.

Do we need section #4 prohibiting fires? Don't the State Fire Laws already take care of this problem? Who is the enforcing agency?

This proposed amendment requires two more readings at Town Assembly before a vote is taken.

Civic - Gene Shaw

Most of the debris and damage caused by recent storm has been cleared up. We thank Dane Miller for a good job.

Storm drainage project from the Club parking lot to pond area is completed.

A contract for road repairs and replacing the section of storm sewer between the new manholes on St. Martins Lane has been let to Richards Paving Company.

Recommendations concerning extension of overflow parking lot and its exit are on hold until we get more information about disposal of road debris.

Garbage disposal estimates for 1989/90:

| | |
|----------------------------|--------------|
| Laxton, curb service | \$37,632 |
| Laxton, behind-the-house | 49,728 |
| Laxton, Special pick-up | |
| large truck | 375 per load |
| small truck | 85 per load |
| Arrow, curb service | 25,657.20 |
| 90 gal. wheeled containers | 72 |

On July 9 a young adult male was observed painting with a spray can on some large rocks along Arden Creek near Marsh Rd. He was stopped, questioned, and his spray can taken away by a young lady who is an Arden resident. Last week, the Civic Committee contacted the New Castle County Police and are now proceeding under their advice.

Discussion:

Garbage situation:

There is a big gap between the high and low bids; we should decide this issue on the Assembly floor or put both figures on the budget ballot.

We should not accept the figure of \$49,728 for behind-the-house service. Laxton has been performing this service (badly according to some) for many years. He needs to know we have a competitive bid. 30-40% of households now carry their trash to the curb. If we do switch to curbside service, we must draw up guidelines for putting out and bringing in cans. Is Arrow a reputable company?

The secretary was instructed to send a note to Mandy Tocco for her "outsy" behavior in apprehending the rock spray painter.

Legislative Reference - Mary Brent Whipple

This committee has met twice. The three elected members met with John Dossett who turned over material the previous committee had worked on up to that point. Everyone on the committee has copies for review. Steve Threefoot is the convener of this committee.

The duties and functions of the Legislative Reference Committee have been rewritten as follows. Each member will have a copy of Robert's Rules of Order, but the official version has not yet been obtained.

Duties and Functions of the Legislative Reference Committee

The committee shall consist of 3 residents of the Village elected by the Town Assembly. Each member shall serve a two-year term; one member will be elected on odd years and two members shall be elected on even years.

The duties of the committee are:

- 1) to codify all the governing documents of the Village under a selected set of headings. The finished documents shall be under one cover and be made available for quick reference when questions arise during Town Assembly meetings.
- 2) to serve as parliamentarian at Town Assembly meetings.

One committee member shall attend each Town Assembly meeting. They shall offer for review and interpretation any codified reference pertinent to the discussion on the floor. The committee member's role is not to interpret the documents.

Committee members should have available at Assembly meetings a copy of "Robert's Rules of Order" and provide points of parliamentary procedure as they arise during Town Assembly meetings.

The committee shall be prepared to present a report at Town Assembly meetings.

The committee is responsible for codifying new governing documents as they are created.

Buzz Ware Village Center - John Demsey

The committee has enjoyed a very quiet quarter. The Montessori School has decreased their usage of that center due to the opening of their new facility. They are currently using only the front section of the school actively. The rear modules are being used for storage. Rooms #1 and #2 are being used for half day pre-school for about 50 children. Room #3 will probably be used similarly after January. Room #4 will be used for meetings, etc.

Long range planning continues and some uses being investigated are for an art center or a day care center. No termination date has been established for Montessori's use of the building which will be for at least another 2 years.

Playground - Larry Walker

During the past quarter, the required Playground equipment inspections were held. One swing seat was replaced and other necessary repairs made. All of the equipment is in sound, safe condition at this time. Additional root mulch was added under the equipment to keep a soft surface so that children who fall will be less likely to be injured.

The committee has hired an Ardenite to repaint all of the playground equipment. We will provide all necessary paint and equipment for this project. The painting should be completed by the end of October. Most of the metal parts of the equipment are galvanized for rust protection, but the painting will improve the appearance of the equipment.

Discussion:

David Burslem's dog has been running loose on the Green, digging up the newly laid root mulch.

Arden Archives - Sally Hamburger

The committee, consisting of Sally Hamburger, Chairman, Jean Brachman, Joan Colgan, Pat Liberman and Ethel Monfort, has met twice.

The current status of the archives is - there aren't any. The space in the Craft Shop is no longer available. The few remaining artifacts have been returned to Mike Curtis, the old "You Are Welcome Hither" sign is stored with Bob and Phyllis Wynn.

The committee is working on short and long term goals. Short term goals include:

*Locating and inventorying appropriate archive materials--pictures, papers, books, paintings, ironwork, sculpture, furniture--articles representing Arden. The archives are intended to represent not only our past, but our present as well. To that end, we ask any of you who have such items in your possession to contact a member of the committee. We are looking for eventual donations but are also interested to know if you have things that you are willing to lend for special exhibits. We don't want to lose track of our history, please don't dispose of any possible archives without contacting the committee. We intend to publicize this appeal in the Arden Page as well.

*Mounting special exhibits of Arden Craftsmen, past and present, once a month at Arden Club dinners. The displays will be accompanied by a short talk (15 minutes or so) about the artist immediately following dinner. The first one, planned for November, will feature the pottery of Charl Curtis.

Long term goals include:

*Working toward making the Archive Committee a standing committee of the Assembly with a budget. We will need some funds for acquisitions, more funds to realize our larger goal - a small Arden museum.

*Richie Garrison, Associate Director of Museum Studies at the University of Delaware, is interested in sending us a graduate student intern to guide us in the necessary steps involved in creating a museum, especially in the area of grant writing. This internship would cost \$1500-2000 for a 3 month period.

We feel that as a historical community, especially one with such a rich tradition of arts and crafts, an archive museum is a responsibility we cannot ignore.

OLD BUSINESS

Sewage in Naamans Creek - Bob Wynn

Background: The sewer line is 28-30 years old. During the past year, a 9" pipe was installed from manhole #102 emptying into the creek. The pipe has not been well maintained and Bethel Township has contracted to dump into that line (some of that has now been diverted into the Shellpot interceptor.)

Argument: The County response to the situation "this is the best we can do", is not acceptable. All pipes carrying surface water must have permits - this has no permit. Lateral lines have not been checked and there is bad engineering in some areas.

Current status: State Attorney General Oberly has assigned a prosecuting attorney to bring suit against the County.

Proposed Resolution:

Whereas New Castle County Department of Public Works on or about March 9, 1988 installed an overflow pipe from manhole 102 of the Naamans Interceptor Sewer Line to discharge raw sewage into the Naamans Creek.

This overflow pipe was installed without permit and is in direct violation of the Federal Clean Water Act and of Delaware Code 6003 (a) (2) which states that, "NO person shall without first having obtained a permit undertake any activity in a way which may cause or contribute to discharge of a pollutant into any surface or ground water." This is a criminal offense punishable by a fine of not less than \$2,500 or more than \$25,000 per day.

The course of action now being taken by New Castle County as a remedy assumes that the temporary pipe will continue to discharge raw sewage into the Naamans Creek for 4 to 5 years. This is unacceptable. The Community will not tolerate the severe health and aesthetic degradation of the environment of the Naamans Creek.

The Town Assembly of the Village of Arden hereby resolves that efforts should be exerted to:

- (1) Encourage the State of Delaware to enforce the Federal Clean Water Act and Delaware Code and have the overflow pipe removed;
- (2) Work with New Castle County Department of Public Works to develop an effective maintenance and surface water diversion plan and ensure the integrity of the sanitary sewer line.

Work with NCC Dept. of Public Works to review longer range plans for replacement or augmentation of the line.

Discussion:

The sewage spill has been inadequately investigated by EPA.

The Council of Civic Organizations for Brandywine Hundred, Radnor Green and Darley Civic Organizations are also expressing concern about this situation.

Part of the problem is caused by Bethel Township and by the new homes being built on Zebley Rd.

The real source of the problem lies in the County building - the Justice administration has demolished the planning department. We need to mount a political attack.

The planning department has not been demolished but increased. The lack of a comprehensive plan has been addressed and remedied.

David Hofer from the NCC DPW: The department has worked out a way to fund facilities to correct the situation. The proposal from a consultant is expected in October and a relief line should be started early in 1989. The department is committed to solving the problem with federal funds. These are medium sized problems, not major obstructions. The department wants to avoid bringing in heavy equipment to do the job, but has right-of-way and can do so if necessary.

Will the county clean the sewage out of the creek? No.

Clarence Lucas, owner and resident of the problem house on the flood plain: Before the line was installed, the manholes would overflow all over the ground during times of high water. If you remove the pipe, the sewage will again be deposited on the ground - not an acceptable solution.

Motion passed unanimously

Ordinance #12, closing the woodlands from dusk until dawn, renewed for another year.

GOOD AND WELFARE

Residents of the weave shop are parking illegally on the Green. Community Planning Committee will not enforce the no-parking ordinance unless formal complaints are received. Contact Sally Thurston, Chairman, or Ruth Bean, Secretary.

It was the sense of the meeting that Arden contribute \$50 from the contingency fund to Delaware Crime Stoppers.

Applause for Dane Miller for his heroic efforts in cleaning up the storm damage in time for the Arden Fair.

Delaware Municipal Street Aid is up to \$30,000 this year - Arden's share has risen a little.

Letter of commendation to be sent to Rick Rothrock of Inn Lane for his commissioned sculpture commemorating Delaware's signing of the Constitution.

Letters of sympathy to be sent to the Curtis and Holcomb families on the death of Charlotte Curtis and Ruth Holcomb.

Meeting adjourned, 11:30 PM

Sally Hamburger
Secretary